

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
Western Division
No. 5:12-CV-00570-FL

KRAUSZ INDUSTRIES LTD.)
f/k/a Krausz Metal Industries Ltd.,)
)
Plaintiff,)
)
v.)
)
SMITH-BLAIR, INC., SENSUS USA,)
INC. and SENSUS MANUFACTURING)
SHANGHAI LIMITED,)
)
Defendants.)

ORDER

This matter comes before the Court on the Consent Motion to Seal Portion of Krausz Industries, Ltd.’s Expedited Motion for Entry of a Show Cause Order [DE 228], to Seal Krausz Industries, Ltd.’s Memorandum in Support of Its Expedited Motion for Entry of a Show Cause Order [DE 229], and to Seal Portion of Plaintiff’s Page Limit Motion [DE 232] (the “Motion to Seal”).

WHEREAS, Exhibits A, B, C, D, E and F to Krausz Industries, Ltd.’s Memorandum in Support of Its Expedited Motion for Entry of a Show Cause Order [DE 228] (“Plaintiff’s Show Cause Memorandum”) contain non-public information belonging to Smith-Blair, Inc. (“Smith-Blair”) and/or Sensus USA, Inc. (“Sensus USA”) concerning their communications with counsel relating to this matter, as well as communications among their counsel; and

WHEREAS, it appears to the Court that Smith-Blair and Sensus USA claim, in good faith, that disclosure of the confidential information contained in Exhibits A, B, C, D, E and F to Plaintiff's Show Cause Memorandum could cause harm to their competitive position; and

WHEREAS, it appears to the Court that the information contained in Exhibits A, B, C, D, E and F to Plaintiff's Show Cause Memorandum is discussed throughout Plaintiff's Show Cause Memorandum; and

WHEREAS, it appears to the Court that the information contained in Exhibits A, B, C, D, E and F to Plaintiff's Show Cause Memorandum is discussed in a portion of Krausz Industries, Ltd.'s Expedited Motion for Entry of a Show Cause Order [DE 228] ("Plaintiff's Show Cause Motion") and in a portion of the Motion to Enlarge Page Limit for Plaintiff Krausz Industries, Ltd.'s Memorandum in Support of Its Expedited Motion for Entry of a Show Cause Order [DE 232] ("Plaintiff's Page Limit Motion"); and

WHEREAS, Smith-Blair and Sensus USA have submitted proposed redacted copies of Plaintiff's Show Cause Motion and Plaintiff's Page Limit Motion to be filed in this action; and

WHEREAS, the public's right to access to such to information is outweighed by the interest which Smith-Blair and Sensus USA claim in protecting against its public disclosure; and

WHEREAS, the Court has provided notice to the public of Smith-Blair's and Sensus USA's motion to seal; and

WHEREAS, it appears that less restrictive alternatives to sealing would not be practical or adequate to preserve the confidentiality of the information in question;

NOW, THEREFORE, upon consideration of the Motion to Seal filed by Smith-Blair and Sensus USA, the memorandum in support thereof, and the entire record herein, it is hereby

ORDERED that the Motion to Seal is hereby GRANTED; and it is

FURTHER ORDERED that Plaintiff's Show Cause Memorandum [DE 229] and Exhibits A, B, C, D, E and F thereto be FILED UNDER SEAL; and it is

FURTHER ORDERED that Plaintiff's Show Cause Motion [DE 228] be FILED UNDER SEAL and that the Clerk file in this action the redacted copy of same submitted as Exhibit 1 to the Motion to Seal; and it is

FURTHER ORDERED that Plaintiff's Page Limit Motion [DE 232] be FILED UNDER SEAL and that the Clerk file in this action the redacted copy of same submitted as Exhibit 2 to the Motion to Seal.

This the 27th of September, 2017.

A handwritten signature in black ink, reading "Louise W. Flanagan". The signature is written in a cursive, flowing style.

LOUISE W. FLANAGAN
UNITED STATES DISTRICT COURT JUDGE